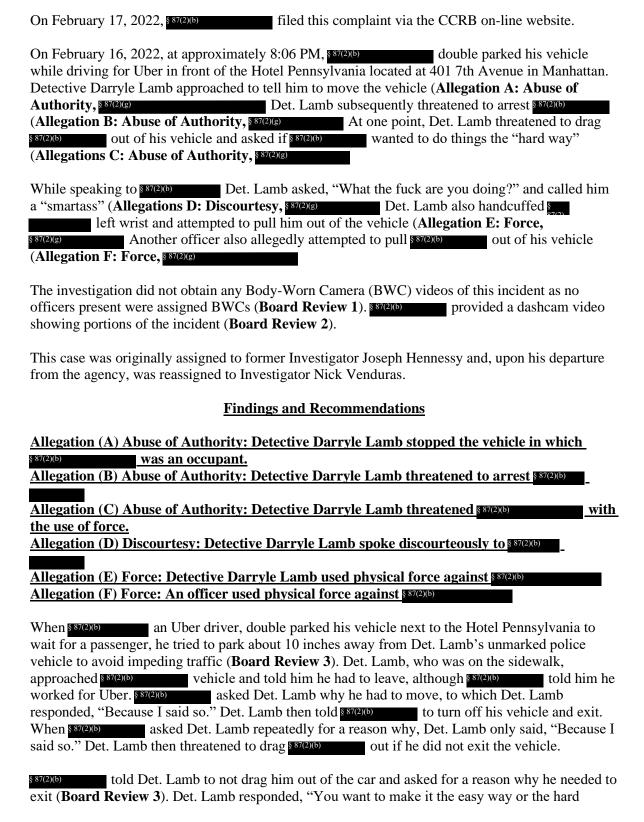
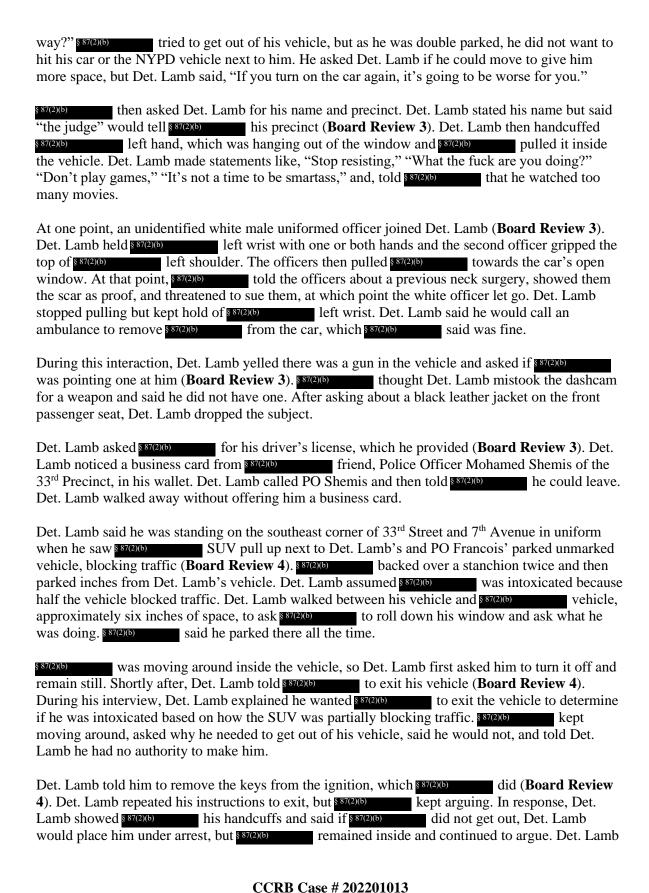
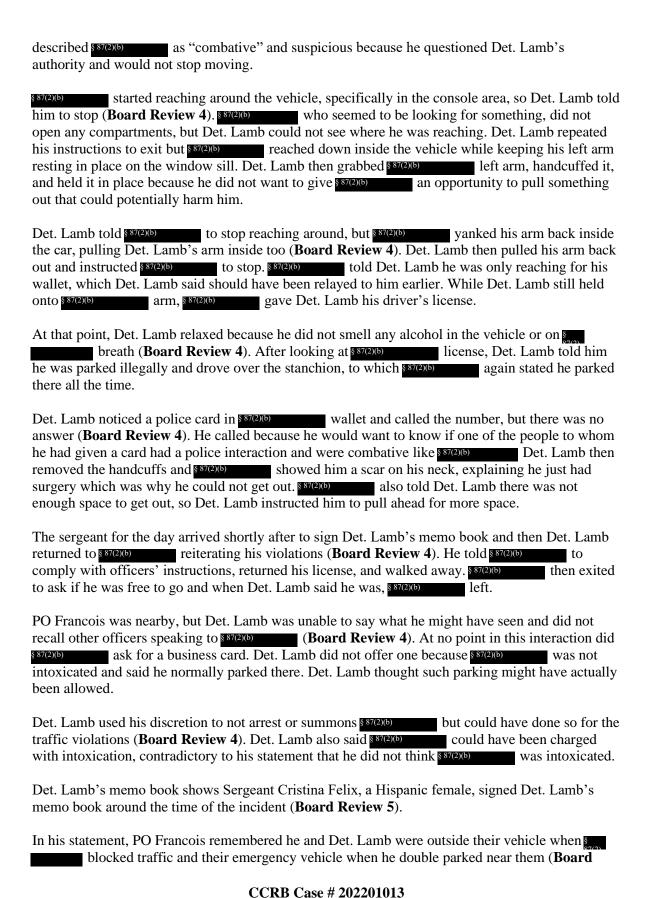
CCRB INVESTIGATIVE RECOMMENDATION

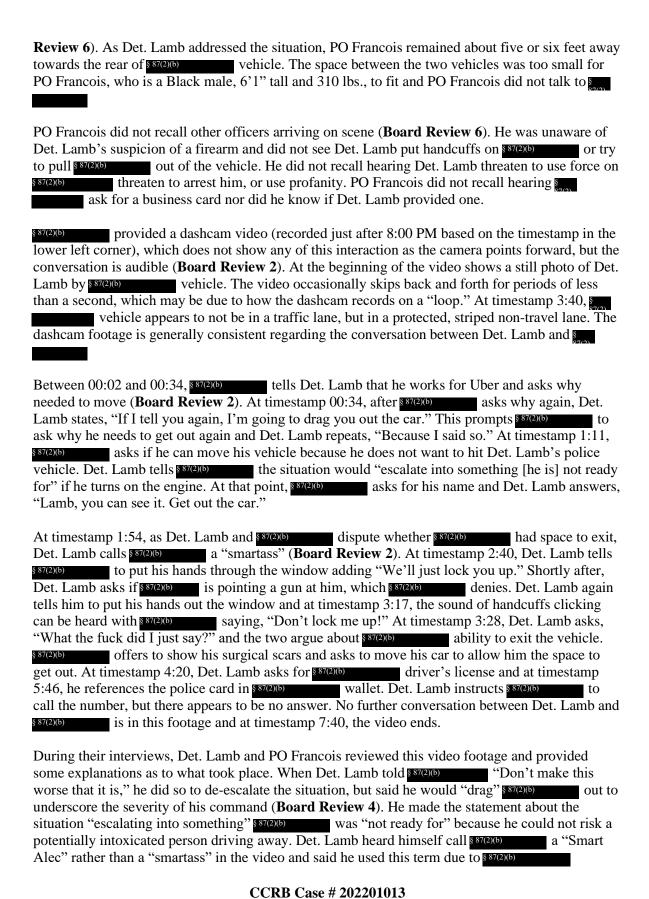
Investigator:		Team:	CCRB Case #:	$\overline{\mathbf{V}}$	Force	√	Discourt.		U.S.
Nicholas Venduras		Squad #16	202201013	☑	Abuse		O.L.		Injury
Incident Date(s)		Location of Incident:	<u> </u>	\vdash	19 N	Mo. SO)I	T 1	Precinct:
` ′								'	
Wednesday, 02/16/2022 8:06 PM		401 7th Avenue				6/202			14
Date/Time CV Reported		CV Reported At:	How CV Reported:				eived at CC		
Thu, 02/17/2022 2:52 AM		CCRB	On-line website		Thu, 02/1	17/202	2 2:52 AM	[
Complainant/Victim	Type	Home Addre	ess						
Subject Officer(s)	Shield	TaxID	Command						
1. DTS Darryle Lamb	07060	933910	HLTH & WELL						
2. An officer									
Witness Officer(s)	Shield N	o Tax No	Cmd Name						
1. PO Mohamed Shemeis	27509	972422	033 PCT						
2. PO Dominick François	14409	944574	H&W EAU						
3. SGT DS Cristina Felix	04962	945815	IAB						
Officer(s)	Allegatio	on			Inv	estiga	tor Reco	nme	endation
A.DTS Darryle Lamb	Abuse: D	Detective Darryle Lamb was an occupa		n v	which				
B.DTS Darryle Lamb	Abuse: Detective Darryle Lamb threatened to arrest \$87(2)(b)								
C.DTS Darryle Lamb		Detective Darryle Lamb with the use of force.	threatened § 87(2)(b)						
D.DTS Darryle Lamb	Discourte to § 87(2)(b)	esy: Detective Darryle I	Lamb spoke discourte	eou	sly				
E.DTS Darryle Lamb	Force: Do 8 87(2)(b)	etective Darryle Lamb t	ised physical force a	gai	nst				
F. An officer	Force: A	n officer used physical f	force against § 87(2)(b)						

Case Summary









combative nature.

Regarding his accusation of a gun being in strong vehicle, Det. Lamb explained when reached into the center console for his wallet, Det. Lamb misidentified a comb with a black handle as a gun (**Board Review 4**). Once [87(2)6] moved the object to get his wallet, Det. Lamb saw that it was a comb. Det. Lamb explained he used the word "fuck" to underscore his authority because \$37000 vanked his left arm back into the vehicle and raised his right fist to a position where he could strike Det. Lamb (Board Review 4). Det. Lamb believed (STO) attempted to hit him, but stopped when he realized he would not be able to from his position while handcuffed. PO François did not provide any additional details regarding Det. Lamb's actions and statements after reviewing the video (Board Review 6). Google street view images taken in August 2021 and August 2022 show a "no standing - hotel loading zone" sign (Board Review 7). According to New York City Traffic Law Section 4-08 (f)(1), double parking is generally not allowed (Board Review 8). However, Section 4-08(c)(5) allows temporary parking and standing within a "hotel loading zone" while receiving or discharging passengers and their luggage. While such parking and standing is allowed, Section 4-12 (a)(1) states drivers must comply with any direction given by a law enforcement officer. was double parked, § 87(2)(b) Although it is undisputed that § 87(2)(b) was allowed to wait in that designated area to pick up a passenger as there was a "no standing – hotel loading zone sign." However, \$87(2)(2) \$87(2)(3) was blocking the officers' vehicle from leaving, \$87(2) In People v Desmornes, 61 Misc. 3d 224, the court ruled that while an officer may arrest a person for a minor traffic violation, issuing a summons is strongly preferred when this alternative is available as officers do not need the vehicle operator's pedigree to issue a parking ticket (Board **Review 9**). An officer would need to show why an arrest was necessary and prudent if that officer could have issued a summons for such a minor traffic violation. It is undisputed that \$87(2)(b) was double parked \$87(2)(g) Det. Lamb could have simply written a parking ticket without ever asking \$87(2)(0) to exit his vehicle or even provide identification. Furthermore, Det. Lamb continuously escalated the situation and threatened to arrest \$87(2)(6) within three minutes of the back-and-forth conversation between \$87(2)(b) and Det. Lamb. \$87(2)(b) main reason for not following Det. Lamb's instructions appears to be the physical difficulty he would have in doing so and he mostly expressed doubt about being able to fit into the tight space, making multiple references to his recent surgery. § 87(2)(g)

§ 87(2)(g)	
Patrol Guide Procedure 2	21-01 instructs officers on when they may use force against a civilian
(Board Review 10). Force	e is allowed "when it is reasonable to ensure the safety of a member of the
custody or to prevent esca	or otherwise protect life, or when it is reasonable to place a person in the person in
	Det. Lamb escalated the interaction and unnecessarily introduced the

As video evidence shows, Det. Lamb escalated the interaction and unnecessarily introduced the possibility of force over a minor parking violation. Almost immediately after \$\frac{870}{00}\$ asks for further explanation for Det. Lamb's instructions, Det. Lamb responds because he "said so," warns the situation could get worse, and threatens to "drag" him out of his vehicle. actions did not indicate he was a threat to anyone nor was he attempting to flee and never verbally threatened Det. Lamb. As such, Det. Lamb's threats of force were unnecessary. Additionally, instead of deescalating the situation to attempt to gain compliance, Det. Lamb handcuffed \$\frac{870}{00}\$ and attempted to pull him out of the vehicle.
There appears to be no evidence supporting allegation that a white male officer also attempted to pull out of his vehicle. PO Francois and Sgt. Felix do not match this description and neither Det. Lamb nor PO Francois recalled other officers interacting with inside the vehicle.
Patrol Guide Procedure 200-02 states officers must "maintain a higher standard of integrity" and must "respect the dignity of each individual" with "courtesy and civility" (Board Review 11). In DCT Case #79627/04 Assistant Deputy Commissioner of Trials Robert W. Vinal, ruled, "When a police officer uses an otherwise impolite word during a stressful street encounter where that officer is attempting to maintain control of the situations, the police officer's verbal slip does not rise to the level of actionable misconduct" (Board Review 12).
Det. Lamb explained he used the word "fuck" when speaking to \$870,00 to underscore his authority and because \$870,00 allegedly appeared willing to strike him. Based on the video evidence, Det. Lamb used the term "smartass" and not "Smart Alec" as he claimed.
It is undisputed that Det. Lamb unnecessarily escalated
the interaction. § \$7(2)(2)

Civilian and Officer CCRB Histories

• This is the first CCRB complaint to which [87(2)(0)] has been a party (**Board Review 14**).

 Detective Darryle Lamb has been a member of service for 19 years and has been the subject in two other CCRB complaints and seven other allegations, none of which were substantiated.

Mediation, Civil, and Criminal Histories

- §87(2)(b) rejected mediation.
- As of February 14, 2023, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this incident (**Board Review 15**).

[§ 87(2)(b)] [§§ 86(1)(3)	&(4)] [§ 87(2)(c)]		
Squad: <u>16</u>			
Investigator:	Nick Venduras Signature	Inv. Nicholas Venduras Print Title & Name	4/18/2023 Date
Squad Leader:	Patrick Yu Signature	IM Patrick Yu Print Title & Name	04/18/2023 Date
Reviewer:	Signature	Print Title & Name	Date